

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 4:08CR3098
)
v.)
)
FRANCIS SEARCEY,) MEMORANDUM AND ORDER
)
)
Defendant.)

THIS MATTER comes before the court on defendant's motion to continue his trial currently scheduled to begin on December 1, 2008. (Filing No. [13](#)). The defendant needs additional time to conduct discovery, and requests an additional ninety days to allow the parties to resolve the case by plea or prepare for trial. The government does not oppose the defendant's motion to continue. The Court, being fully advised in the premises, finds that said motion should be granted.

IT IS THEREFORE ORDERED that the defendant's trial is set to commence at 9:00 a.m. on March 2, 2009 for a duration of four trial days before the Honorable Richard G. Kopf. Jury selection will be at the commencement of trial.

This Court further finds that, based upon the showing set forth in defendant's motion, the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and March 2, 2009 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(8)(a).

DATED this 24th day of November, 2008.

BY THE COURT:
s/Richard G. Kopf
United States District Judge